

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TIMOTHY RAMIREZ,

Petitioner,

20 **CIVIL** 8445 (KMK)

-against-

JUDGMENT

WILLIAM F. KEYSER,

Respondent .

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated March 12, 2024, the Court, having conducted a thorough and de novo review of the R&R, finds no error. The Court has adopted the outcome of Judge Davison's R&R. Petitioner's writ of habeas corpus is accordingly dismissed with prejudice. As Petitioner has not made a substantial showing of the denial of a constitutional right, a Certificate of Appealability shall not be issued, see 28 U.S.C. § 2253(c)(2); *Lucidore v. N.Y. State Div. of Parole*, 209 F.3d 107, 11112 (2d Cir. 2000), and the Court further certifies, pursuant to 28 U.S.C. § 1915(a) (3), that an appeal from this judgment on the merits would not be taken in good faith, see *Coppedge v. United States*, 369 U.S. 438, 445 (1962) ("We consider a [petitioner's] good faith... demonstrated when he seeks appellate review of any issue not frivolous."); *Burda Media Inc. v. Blumenberg*, 731 F. Supp. 2d 321, 32223 (S.D.N.Y. 2010) (citing *Coppedge* and noting that an appeal may not be taken in forma pauperis if the court certifies in writing that it was not taken in good faith); accordingly, the case is closed.

Dated: New York, New York

March 12, 2024

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk